

## **REMARKS**

Applicants respectfully request that the Examiner reconsider the rejection of the pending claims 10-47 in light of the analysis of the prior art below.

### **Rejection of Claims 10-47 in Light of U.S. Patent No. 5,999,126 (Ito)**

Independent claims 10, 11, 14, 18, 22, and 35 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ito. Applicants respectfully traverse this rejection.

Ito discloses a position measuring system or navigation system for an automobile using a combination of GPS and PHS radio signals. In particular, Ito is directed to calculating position location from radio waves of PHS base stations when a GPS signal cannot be received. As noted by the Examiner, “a current position may be estimated to some degree from a previous history.” *See* col. 10, ll. 28-30. Ito then describes this estimation as merely a location estimation made linear extrapolation of two previous location points. *See* col. 10, ll. 31-39 and Fig. 11C. As best shown in Fig. 12, Ito also describes a means for displaying service signals such as traffic, weather, news, and advertisements if the automobile is within the reception range of the PHS base station.

Ito does not disclose each and every element of independent claim 10. Claim 10 requires a processor for determining trends in position location data, and a transmitter for transmitting targeted broadcasts at least based on those trends. Ito does not disclose a processor for determining position location trends, but does have the ability to estimate an automobile’s current location based on a linear extrapolation of two previous known locations. Further, Ito does not disclose a transmitter for transmitting targeted broadcasts based on position location trends. Instead, Ito teaches a unit located on an automobile that is capable of receiving a service

signal (not sent to any specific audience) transmitted from a PHS base station. Such a service signal is received by the automobile if it is within the PHS base station transmission range. Ito clearly does not disclose transmitting a targeted broadcast, and further does not teach transmitting a targeted broadcast based on position location trends.

Similarly, Ito does not disclose each and every element of independent claim 11. Claim 11 requires a processor for determining trends in transaction data, and a transmitter for transmitting targeted broadcasts at least based on those trends. Ito does not disclose a processor for determining transaction trends. As disclosed in the present application, transaction trends may be developed from a user's responses to past broadcasts and other history including geographic history, chronological history, family history, seasonal history, and usage patterns. Further, Ito does not disclose a transmitter for transmitting targeted broadcasts based on transaction trends. As discussed above, Ito teaches a unit located on an automobile that is capable of receiving a service signal (not sent to any specific audience) transmitted from a PHS base station. Such a service signal is received by the automobile if it is within the PHS base station transmission range. Ito clearly does not disclose transmitting a targeted broadcast, and further does not teach transmitting a targeted broadcast based on transaction trends.

Ito also does not disclose each and every element of independent claim 14. Claim 14 requires a processor for processing position location data, and a transmitter for transmitting targeted broadcasts at least based on the processed position location data. Ito does not disclose a transmitter for transmitting targeted broadcasts based on processed position location data. As discussed above, Ito teaches a unit located on an automobile that is capable of receiving a service signal (not sent to any specific audience) transmitted from a PHS base station. Such a service signal is received by the automobile if it is within the PHS base station transmission range. Ito

clearly does not disclose transmitting a targeted broadcast, and further does not teach transmitting a targeted broadcast based on processed position location data.

Ito also does not disclose each and every element of independent claim 18. Claim 18 requires a processor for processing position location data, and a transmitter for transmitting targeted broadcasts at least based on the current location of the wireless communication device. Ito does not disclose a transmitter for transmitting targeted broadcasts based on the current location of the wireless communication device. As discussed above, Ito teaches a unit located on an automobile that is capable of receiving a service signal (not sent to any specific audience) transmitted from a PHS base station. Such a service signal is received by the automobile if it is within the PHS base station transmission range. Ito clearly does not disclose transmitting a targeted broadcast, and further does not teach transmitting a targeted broadcast based on the current location of the wireless communication device.

Ito also does not disclose each and every element of independent claims 22 and 35. Claim 22 requires a processor for processing stored data and selecting a targeted broadcast audience, and a transmitter for transmitting targeted broadcasts to the targeted broadcast audience. Similarly, claim 35 is a method claim requiring the steps of selecting a targeted broadcast audience and transmitting a targeted broadcast to the targeted broadcast audience. As discussed above, Ito teaches a unit located on an automobile that is capable of receiving a service signal (not sent to any specific audience) transmitted from a PHS base station. Such a service signal is received by the automobile if it is within the PHS base station transmission range. Ito clearly does not disclose a processor for selecting a targeted broadcast audience or a transmitter for transmitting a targeted broadcast.

As such, Applicants respectfully request that the prior art rejections of the independent claims over Ito be withdrawn for the aforementioned reasons.

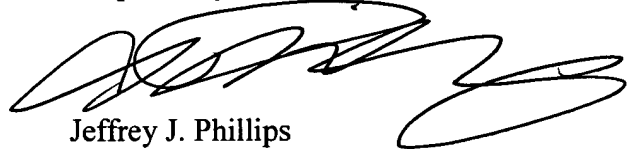
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Applicants believe that the present pending claims are in condition for immediate allowance. Applicants respectfully request that the Examiner reconsider the rejection of the pending claims in light of the above analysis of the prior art.

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In order to facilitate the resolution of any questions presented by this paper, Applicants request that the Examiner directly contact the undersigned attorney by telephone at 713-787-1496 to further the discussion, reconsideration, and allowance of the claims.

Respectfully submitted,



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